

**REMARKS**

Claims 1-11 are pending in this application. Claims 1-11 stand rejected. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Paragraph 2 of the Office Action rejects claims 1-3, 6, and 9 under 35 U.S.C. § 112, first paragraph. The Examiner objects to the phrase “writes said frame to a memory location shifted from a top of the next available memory location.” Applicant respectfully requests reconsideration and withdrawal of this rejection.

Applicant points the Examiner to the present specification, page 5, line 21 through page 6, line 10 for disclosing the claimed limitation. Additionally, Figures 4 and 5 disclose writing the frame to a memory location shifted from a top of the next available memory location. As such, Applicants respectfully request withdrawal of this rejection.

Paragraphs 3 and 4 of the Office Action reject claims 1-11 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,185,635 (“O’Loughlin”). Applicant respectfully requests reconsideration and withdrawal of this rejection.

The O’Loughlin reference was filed on May 30, 1998. The present application was filed on December 24, 1998. However, the present application claims priority under 35 U.S.C. § 119 to a Japanese patent application serial number 9-359899, filed December 26, 1997, predating the O’Loughlin reference. Applicant

submits herewith a verified translation of the priority document to perfect the claim for priority. Applicant's claim for priority was acknowledged in the Office Action mailed December 27, 2001. As such, Applicant respectfully requests that the Examiner remove the O'Loughlin reference and pass the pending claims to issue.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: May 27, 2004

Respectfully submitted,

By 

Ian R. Blum

Registration No.: 42,336

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

1177 Avenue of the Americas - 41st Floor  
New York, New York 10036-2714  
(212) 835-1400  
Attorneys for Applicant

IRB/mgs